

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

DANNY COLLINS, )  
)  
Plaintiff, )  
)  
vs. )  
)  
COUNTY OF WILL, a municipal corporation; )  
WILL COUNTY SHERIFF PAUL KAUPAS, )  
JOHN DOE SHERIFF'S OFFICERS, )  
Will County Sheriff's Officers, )  
)  
Defendants. )

COMPLAINT AT LAW

Jurisdiction/Venue

1. This incident occurred on or about January 13, 2014 in the City of Joliet, Will County, Illinois, located in the Northern District of Illinois.
2. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1983, § 1988, the judicial code 28 U.S.C. § 1331 and § 1343(a); the Constitution of the United States, and pendent jurisdiction, as provided under U.S.C. § 1367(a).

Parties

3. At all relevant times pertaining to this occurrence, Plaintiff Danny Collins was a resident of Chicago Heights, Cook County, State of Illinois, located in the Northern District of Illinois.
4. At all relevant times pertinent to this occurrence, Defendant John Doe Sheriff Officers ("Defendant Sheriff Officers") were Will County Sheriff law enforcement officers, acting within the course and scope of their employment Will County Sheriff Paul Kaupas, and they were acting under color of law.
5. The County of Will, a municipal corporation, is the indemnifying agent for all acts of

Defendant Sheriff Officers taken in the course and scope of their employment with Defendant Will County Sheriff Paul Kaupas.

### Facts

6. On or about January 13, 2014, at about 1:15 a.m., the Plaintiff was arrested related to a traffic offense, and was shortly thereafter detained at the Will County Sheriff's Adult Detention Center, located, upon information and belief, at 95 S. Chicago Street, in Joliet, Illinois.
7. While in the booking area of the Adult Detention Center, the Plaintiff was physically beaten by one or more Defendant Sheriff Officers.
8. During this same incident, the Defendant Sheriff Officers had a reasonable opportunity to prevent one another from beating the Plaintiff, but each of the officers failed to intervene to prevent the beating.
9. As a result of the incident, the Plaintiff suffered significant physical and emotional damages.
10. There was no legal justification to beat the Plaintiff or fail to intervene to prevent the beating.
11. The above actions violated the Plaintiff's Fourth Amendment right to be free from unreasonable searches and seizures.
12. In addition to the federal constitutional violation, the Plaintiff also brings a battery claim under Illinois law against all Defendants.
13. The Count of Will is being sued on a theory of indemnification for the acts of the Defendant Sheriff Officers.
14. The incident occurred in the booking area of the Adult Detention Facility between the

hours of about 1:15 a.m. on January 13, 2014 (the approximate time of the traffic stop) and about 3:20 a.m. on that same date (when the Plaintiff was released on bond related to the misdemeanor traffic offense).

15. The Plaintiff was issued a ticket for the traffic offense, Ticket Number 015706659.

16. The Plaintiff filed an internal complaint concerning the above misconduct with the Will County Sheriff on or about January 16, 2014.

WHEREFORE, the Plaintiff respectfully seeks compensatory damages, and, because these acts were willful and wanton, substantial punitive damages against the individual Defendant Sheriff Officers referred to in this complaint.

**PLAINTIFF DEMANDS TRIAL BY JURY.**

Respectfully submitted,

By: s/ Richard Dvorak

Richard Dvorak  
Attorney for the Plaintiff.

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